

**From:** John Murphy  
**To:** Microsoft ATR  
**Date:** 1/23/02 11:34pm  
**Subject:** Microsoft Settlement

I am writing to express my hopes that the court will reject the proposed settlement in Microsoft's current anti-trust case. I believe that the nature of Microsoft's management will make it difficult for any in-company overseer to do his job properly and without the appearance of a conflict of interest.

But my chief concern is that Microsoft's current software offerings, chiefly WindowsXP, are themselves extremely questionable considering what has been found in court about Microsoft's anti-competitive behavior. In short, I believe that Microsoft's current behavior is not addressed by the settlement and that unless the settlement is modified, it will only lead to further anti-trust litigation.

There is also the matter that as far as I can tell, Microsoft is being allowed to keep the fruits of its unlawful conduct. Without court-ordered access to Microsoft's sales records, OEMs who may have a legitimate right to sue Microsoft over its pricing practices will not have the grounds to do so. Further, I don't believe that the settlement effectively addresses the potential of retaliation by Microsoft against these OEMs.

These and other concerns prompt me to ask that the court please reject the proposed settlement.

John P. Murphy, BSEE, BSCpE  
Westfield, MA

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